

FILED

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

2008 FEB 13 A 11:33

E-FILING

RICHARD W. WIENING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA., S.J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUCIA HUERTA-HERNANDEZ,

Defendant.

CR No. **08 00072** **UW**

VIOLATION: 8 U.S.C. § 1326 -
Illegal Re-entry Following Deportation

SAN JOSE VENUE

RS

INFORMATION

The United States Attorney charges:

On or about January 16, 2008, the defendant,

LUCIA HUERTA-HERNANDEZ,

an alien, previously having been arrested and deported from the United States on or about December 14, 2000, July 5, 2001, July 30, 2003 and November 28, 2003, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a reapplication by the

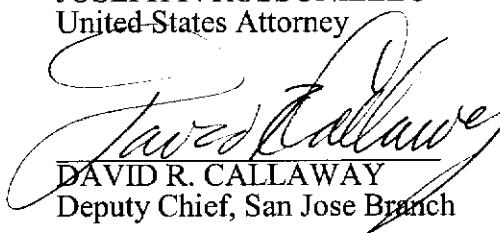
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INFORMATION

1 defendant for admission into the United States, in violation of Title 8, United States Code,
2 Section 1326.

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4 DATED: 2/13/08

5 JOSEPH P. RUSSONIELLO
United States Attorney

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8 DAVID R. CALLAWAY
Deputy Chief, San Jose Branch

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10 Approved as to form: 
11 SAUSA Benjamin Kennedy

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**Title 8, U.S.C. § 1326 - Illegal
Re-Entry Following Deportation☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony**E-FILING****PENALTY:**20 years imprisonment
\$250,000 fine
3 years supervised release
\$100 special assessment fee**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.

Name and Office of Person

Furnishing Information
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

BENJAMIN KENNEDY

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

2008 FEB 11 11:53

LUCIA HUERTA-HERNANDEZ

U.S. DISTRICT COURT NUMBER

CR**8****00072****JW****DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____